

RECEIVED  
CENTRAL FAX CENTER

EV549896445

AUG 11 2005

PTO/SB/21 (08-03)

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

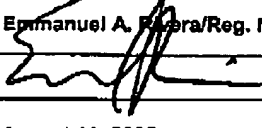
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/286,822	
	Filing Date	4/5/1999	
	First Named Inventor	Thomas A. Grate	
	Group Art Unit	2142	
	Examiner Name	DOUGLAS B BLAIR	
Total Number of Pages in This Submission	11	Attorney Docket Number	MS1-305US

## ENCLOSURES (check all that apply)


<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund	Letter Requesting to Resend Office Action; Return Receipt Post Card.
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Emmanuel A. Rivera/Reg. No. 45760
Signature	
Date	August 11, 2005

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Laurie Morgan
Signature	
Date	8/11/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

EV549896445

AUG 11 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. .... 09/286,822  
Filing Date ..... 4/05/99  
Inventorship ..... Grate et al.  
Assignee ..... Microsoft Corporation  
Group Art Unit ..... 2142  
Examiner ..... D. Blair  
Attorney's Docket No. .... MS1-305US  
Title: E-Commerce System and Method for Automated Configuration of Trading  
Relationships

To: Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Emmanuel A. Rivera (Tel. 509-324-9256; Fax 509-323-8979)  
Customer No. 22801

**LETTER REQUESTING TO RESEND OFFICE ACTION**

Sir:

In a telephone interview with Supervisory Patent Examiner Andrew Caldwell and Emmanuel Rivera on August 9, 2005, it was discussed that the final Office Action dated March 31, 2005 has never been received in the mail by the Applicant. Applicant was only made aware of the Office Action by checking the status of the application through the USPTO's Patent Application Information Retrieval (PAIR) system.

Prior correspondence from the Office regarding this application had been received without undue delay or problems at the correspondence address provided by the Applicant.

1 It was pointed out by SPE Caldwell, that prior to PAIR, if an Office Action  
2 was not received by an Applicant and the correspondence not returned to the  
3 Office, the application would subsequently be abandoned, and Applicant would  
4 have to petition to withdraw the holding of abandonment.

5 It was agreed by SPE Caldwell and Mr. Rivera that a letter would be sent by  
6 Applicant requesting that the final Office Action be re-mailed and that the time to  
7 reply be restarted. In addition to this letter, Applicant will also provide a showing  
8 to establish nonreceipt of an Office Action as provided under MPEP 711.03(c) I A.

9 In further requirement of MPEP 711.03(c) I A., the undersigned practitioner  
10 "states that the Office communication was not received by the practitioner and  
11 attests to the fact that search of the file jacket and docket records indicates that the  
12 Office communication was not received."

13 Furthermore as required by MPEP 711.03(c) I A., included are copies of the  
14 docket record where the nonreceived Office communication would have been  
15 entered had it been received and docketed are attached as an appendix.  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 **CONCLUSION**

2 If any issues remain as to re-mailing the Office Action and restarting the  
3 period of reply, the Examiner is urged to contact the undersigned attorney.  
4

5 Respectfully Submitted,

6  
7 Dated: 8/11/05

By: 

Emmanuel A. Rivera  
Reg. No. 45,760  
(509) 324-9256 ext. 245